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APPLICATION NO.	F	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,313	12/16/2003		Thomas A. Osborno	8627-454	5951
3	590	01/25/2007		EXAMINER	
John M. Card BRINKS HOFER GILSON & LIONE P.O. Box 10395		SON & LIONE	•	ART UNIT	PAPER NUMBER
Chicago, IL	-				

DATE MAILED: 01/25/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

	· • <u> </u>							
		Application No.	Applicant(s)					
Notice of Non-Compliant		10/737,313	OSBORNE ET AL.					
•	Amendment (37 CFR 1.121)	Examiner	Art Unit					
	,	Karin M. Reichle	3761					
	The MAILING DATE of this communication app	^	orrespondence address					
req	e amendment document filed on <u>03 October 2006</u> is o uirements of 37 CFR 1.121 or 1.4. In order for the an n(s) is required.							
TH	E FOLLOWING MARKED (X) ITEM(S) CAUSE THE. 1. Amendments to the specification: A. Amended paragraph(s) do not include B. New paragraph(s) should not be unde C. Other	markings.	BE NON-COMPLIANT:					
	 2. Abstract: A. Not presented on a separate sheet. 37 B. Other 	7 CFR 1.72.						
	 □ 3. Amendments to the drawings: □ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d). □ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required. □ C. Other □ 							
	 □ B. The listing of claims does not include to the claim has not been provided with of each claim cannot be identified. Not number by using one of the following (Previously presented), (New), (Not expressed to the claims of this amendment paper to the claims. □ D. The claims of this amendment paper to the claims. □ E. Other: See Continuation Sheet. 	 A. A complete listing of all of the claims is not present. B. The listing of claims does not include the text of all pending claims (including withdrawn claims) C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended). D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: See Continuation Sheet. 						
	5. Other (e.g., the amendment is unsigned or n	not signed in accordance with 37 (CFR 1.4):					
Fo	r further explanation of the amendment format require	ed by 37 CFR 1.121, see MPEP §	714.					
TIN	ME PERIODS FOR FILING A REPLY TO THIS NOTIC	CE:						
1.	Applicant is given no new time period if the non-co- filed after allowance. If applicant wishes to resubmi- entire corrected amendment must be resubmitted	it the non-compliant after-final am	nal amendment or an amendmen endment with corrections, the					
2 :	Applicant is given one month , or thirty (30) days, we correction, if the non-compliant amendment is one of (including a submission for a request for continued amendment filed within a suspension period under 3 Quayle action. If any of above boxes 1, to 4, are chosen-compliant amendment in compliance with 37 C.	of the following: a preliminary ame examination (RCE) under 37 CFR 37 CFR 1.103(a) or (c), and an ar ecked, the correction required is c	endment, a non-final amendment (1.114), a supplemental mendment filed in response to a					
	Extensions of time are available under 37 CFR amendment or an amendment filed in response t		nt amendment is a non-final					
	Failure to timely respond to this notice will result to the Abandonment of the application if the non-confiled in response to a Quayle action; or Non-entry of the amendment if the non-compamendment.	ompliant amendment is a non-fina						

Telephone No.

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Art Unit: 3761

Continued Examination Under 37 CFR 1.114

- 1. Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 11-3-06. The submission, however, is not fully responsive to the prior 10-16-06 Office action, i.e. the Notice of Non-Compliant Amendment attached thereto, i.e. claim 5 is still non-compliant. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).
- 2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karin M. Reichle whose telephone number is (571) 272-4936. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tanya Zalukaeva can be reached on (571) 272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3761

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

K.M. Kuduc Karin M. Reichle Primary Examiner Art Unit 3761

KMR January 20, 2007



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Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION		ATTORNEY DOCK	ET NO.	
				EXAMINER		
			ART UNIT	PAPER		

20070120

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

see attached communication

encl: copy of 10-16-06 Office action-6 pages

Karin M. Reichle Primary Examiner Art Unit: 3761 Continuation of 4(e) Other: By cancelling the entire text of claim 5 and replacing it with new language, claim 5 is effectively cancelled. The proposed text of claim 5 should be set forth as a new claim 26 and claim 5 should be cancelled.